

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

MANUEL DE JESUS ROSARIO,

Plaintiff,

-against-

MIS HIJOS DELI CORP., PALMA GROCERY CORP.,  
251 E. 123<sup>RD</sup> ST. REALTY, LLC, JOSE PALMA,  
LEONIDA COLLADO, and JUNIOR PALMA,

Defendants.

**No. 15-CV-6049 (LTS)(DCF)**

**DECLARATION OF ARGILIO RODRIGUEZ IN SUPPORT OF DEFENDANT'S  
MOTION FOR SUMMARY JUDGMENT PURSUANT TO FED. R. CIV. P. 56**

ARGILIO RODRIGUEZ, declares, under penalty of perjury:

1. I am the founder of Rodriguez Law, P.C., co-counsel for defendants Mis Hijos Deli Corp., Palma Grocery Corp., 251 E. 123<sup>rd</sup> St. Realty, LLC, Jose Palma, Leonida Collado, and Junior Palma (collectively referred to as "Defendants") in this action, and as such am fully familiar with all of the matters alleged herein. I submit this Declaration in support of the motion for summary judgment on behalf of Defendant 251 E. 123<sup>rd</sup> St. Realty, LLC.

2. Attached hereto as Exhibit 1 is a true and accurate copy of the New York State Department of State Division of Corporation entity information report for Mis Hijos Deli Corp.

3. Attached hereto as Exhibit 2 is a true and accurate copy of the Deposition Transcript of Jose Joaquin Palma dated September 22, 2016.

4. Attached hereto as Exhibit 3 is a true and accurate copy of the Articles of Organization of 251 E. 123<sup>rd</sup> St. Realty, LLC.

5. Attached hereto as Exhibit 4 is a true and accurate copy of the Certificate of Occupancy of the building, issued by the Department of Housing and Buildings, dated April 25, 1944 of the Realty premises located at 251 E. 123<sup>rd</sup> Street, New York, New York.

6. Attached hereto as Exhibit 5 is a true and accurate copy of the Deposition Transcript of Leonida Collado which occurred on July 26, 2016.

7. Attached hereto as Exhibit 6 is a true and accurate copy of the Deposition Transcript of Jose Palma, Jr. s/h/a Junior Palma which occurred July 26, 2016.

8. Attached hereto as Exhibit 7 is a true and accurate copy of the Deposition Transcript of Manuel de Jesus Rosario which occurred on July 21, 2016.

9. Attached hereto as Exhibit 8 is a true and accurate copy of the Schedule E for 2012 issued by 251 E. 123<sup>rd</sup> Street Realty, LLC to Jose Palma Sr.'s for his personal tax returns, given that it is a single member LLC.

10. Attached hereto as Exhibit 9 is a true and accurate copy of the Schedule E for 2013 issued by 251 E. 123<sup>rd</sup> Street Realty, LLC to Jose Palma Sr.'s for his personal tax returns, given that it is a single member LLC.

11. Attached hereto as Exhibit 10 is a true and accurate copy of the Schedule E for 2014 issued by 251 E. 123<sup>rd</sup> Street Realty, LLC to Jose Palma Sr.'s for his personal tax returns, given that it is a single member LLC.

12. Attached hereto as Exhibit 11 is a true and accurate copy of the Schedule E for 2015 issued by 251 E. 123<sup>rd</sup> Street Realty, LLC to Jose Palma Sr.'s for his personal tax returns, given that it is a single member LLC.

Dated: New York, New York  
October 8, 2016

/s/Argilio Rodriguez, Esq.  
Argilio Rodriguez, Esq.